

DECLARATION

This Declaration is submitted in support of the Verified Complaint for Forfeiture In Rem as property belonging to Ricky Allan OLSON (hereinafter “OLSON”). Your declarant believes the property identified in this Declaration is subject to forfeiture.

I. INTRODUCTION

I, Brad Zieska, am employed by the Fargo Police Department and have been since November, 1999. I am currently assigned to the Metro Street Crimes Unit and have been in this role since January 2018. From 2018 until November 2022, I was a part-time Task Force Officer (TFO) with the Bureau of Alcohol, Tobacco, Firearms, and Explosives (ATF). In November 2022, I was deputized as a fulltime TFO with the ATF and still hold that position. I investigate violations of Federal and State law and have received training and gained experience in interviewing and interrogation techniques, arrest procedures, search warrant applications, the execution of search and seizure warrants, and various other criminal laws and procedures under the authority of the United States and the State of North Dakota.

Since this Declaration is being submitted for the limited purpose of supporting a verified complaint for forfeiture, I have not included each and every fact known concerning this investigation. In addition, unless otherwise indicated, all statements contained in this Declaration are summarized in substance and in part.

II. DEFENDANTS IN REM

- A. Maverick Arms, Model 88, 20-gauge shotgun with serial number MV0447362;
- B. Benelli, Nova 12-gauge shotgun with serial number Z1029082T;
- C. Beretta Pietro APX, 9 mm pistol with serial number A089277X; and,
- D. Approximately 227 assorted rounds of ammunition, including:
 - 1. 5 Rounds Federal Ammunition CAL:20
 - 2. 3 Rounds Winchester-Western Ammunition CAL:12
 - 3. 19 Rounds Winchester-Western Ammunition CAL:9
 - 4. 175 Rounds Assorted Ammunition CAL: Assorted
 - 5. 5 Rounds Winchester-Western Ammunition CAL:12
 - 6. 19 Rounds Hornady Ammunition CAL:9
 - 7. 1 Round Hornady Ammunition CAL:9

The above-referenced items were seized on August 17th, 2023, during a search of

OLSON's White Buick Rendezvous bearing ND license plate 549DWR in Fargo, North Dakota.

III. SUMMARY OF INVESTIGATION

A. On August 8, 2023, Fargo Police Officers were dispatched to the area of Dike East Park, at 100 2nd Street South, Fargo, ND, because individuals made a report regarding a male present with a gun. Upon arrival, officers spoke to complainants, J [REDACTED] Lugo (H/M DOB [REDACTED] - [REDACTED] 1982) and G [REDACTED] Luzardo (H/M [REDACTED] 1974). The complainants reported that a male had exited a vehicle—a white Buick Rendezvous, bearing ND plate 549DWR—with a pistol strapped to his chest while holding a shotgun. (Law Enforcement later identified this male as Ricky Allan OLSON (W/M DOB [REDACTED] 959 FBI: [REDACTED] 7T11). The complainants were approximately eight feet from OLSON when OLSON loaded his shotgun. While there were no threats made by OLSON, the complainants felt alarmed by OLSON's behavior with the firearms. Officers were unable to make contact with OLSON because he had left the area before they could speak to him.

August 17, 2023

B. On August 17, 2023, a Fargo Police Officer was again dispatched to the area of Dike East Park, at 100 2nd Street South, Fargo, ND, for a public assist. Officer Nelson spoke with the caller, B [REDACTED] Goodman ("Goodman"). Goodman observed a man trying to hide a "870" shotgun in the front seat of his vehicle, a white Buick Rendezvous bearing ND plate 549DWR. The description of the vehicle and person matched the description of Ricky Allan OLSON. Goodman asked OLSON about the firearm. OLSON confirmed he had that firearm and said he had 30 more firearms in the vehicle. Goodman stated OLSON explained the firearms were for the next time a police officer stepped out with him. OLSON proceeded to tell Goodman OLSON had friends who were currently trying to come up with a plan for a mass shooting. These friends looked at a downtown festival, but there were too many police and decided to try a different day. Officer Nelson was unable to locate OLSON.

C. The undersigned discovered OLSON's criminal history reveals a 1995 Federal conviction for Felon in Possession of a Firearm. See United States v. Ricky A. Olson, 3:94-cr-00083, Doc. 38, (DND Jan. 30, 1995.) OLSON pleaded guilty and was sentenced to 46 months imprisonment with three years of supervised release.

D. Later that day, members of the Metro Street Crimes Unit (SCU) surveilled OLSON to determine if he currently had firearms in his vehicle and to make contact with him. Officers located OLSON inside his Buick Rendezvous at Dike East Park,

100 2nd Street South, Fargo, ND. A Fargo plain clothes police officer initiated casual conversation with OLSON. OLSON indicated he had firearms in his vehicle and wished the SWAT team would shoot him. OLSON said he had waited 20 years to get his firearms back.

E. OLSON eventually left the area of Dike East Park and separated himself from his vehicle. Members of law enforcement made contact with OLSON where he was detained for driving with a revoked North Dakota license, and for being a felon in possession of firearms.

F. After OLSON was given his Miranda warning, he admitted he was aware he had a Federal Felon in Possession of Firearm and Ammunition conviction, but claimed his lifetime ban from possessing firearms was only for 15 years and further stated he waited 20 years before acquiring more firearms. Olson admitted to having firearms and ammunition in his vehicle. OLSON indicated he purchased a firearm from Scheels (locally) but would not provide paperwork or say when the purchase was made. He also stated he purchased firearms from friends and built his own.

G. A search of Olson's vehicle yielded three firearms and assorted ammunition as described above in paragraphs II.A-II.D. These items were seized administratively and taken into ATF custody.

H. OLSON was arrested on state charge of unlawful possession of drug paraphernalia. Olson's white Buick Rendezvous was impounded by Fargo Police. OLSON was also charged with possession of marijuana and marijuana paraphernalia by Fargo Police.

I. Subsequent to the property seizure, ATF commenced administrative forfeiture proceedings. On September 8, 2023, ATF received Olson's timely claim seeking the return of these items, thereby triggering the provision in 18 U.S.C. § 983(a)(3)(A) which requires the United States to file a civil complaint within 90 days after a claim has been filed.

IV. CONCLUSION

Based on the foregoing facts and circumstances, I submit the above-referenced facts establish beyond a preponderance of the evidence that the above-described firearms and ammunition are subject to forfeiture pursuant to Title 18 U.S.C. § 924(d)(1), as firearms that were possessed by OLSON, a Felon with a prior Federal Felon in Possession of Firearms and Ammunition conviction.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true and correct to the best of my knowledge, information and belief.

BRAD ZIESKA
(Affiliate)



Digitally signed by BRAD ZIESKA
(Affiliate)
Date: 2023.12.05 17:12:31 -06'00'

Brad Zieska, Task Force Officer
Bureau of Alcohol, Tobacco, Firearms and Explosives